

01-23-06

IFW



PATENT
Atty. Docket No.: 22803/2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lila Shepley
Serial No.: 10/826,644
Filed: April 16, 2004
For: METHODS AND APPARATUS FOR IDENTIFYING A CONTAINER

Group No.: 3611
Examiner: Joanne Silbermann

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

1. Transmitted herewith is:
 - Amendment Transmittal and Certificate of Mailing by Express Mail (3 pgs.) (NO FEE)
 - Amendment in Response to Office Action dated December 20, 2005 (2 pgs.)
 - Return Postcard

STATUS

2. Applicant
 - ☐ claims small entity status.
 - ☒ is other than a small entity.

CERTIFICATE OF MAILING BY EXPRESS MAIL TO
THE COMMISSIONER FOR PATENTS

Express Mail No. EV 734457978 US
Date: January 20, 2006

I hereby certify that the documents listed above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above in an envelope addressed to Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Robert B. Reeser, NI, Reg. No. 45,548

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) _____ Applicant petitions for an extension of time under 37 C.F.R. 1.136
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

Extension for response within:	Other than small entity Fee	Small entity Fee (if applicable)
_____ first month	\$ 120.00	\$ 60.00
_____ second month	\$ 450.00	\$ 225.00
_____ third month	\$ 1,020.00	\$ 510.00
_____ fourth month	\$1,590.00	\$ 795.00
_____ fifth month	\$2,160.00	\$1,080.00

Fee: \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

_____ An extension of _____ months has already been secured. The fee paid therefor \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$_____

OR

- (b) X Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	ADDITIONAL RATE FEE	ADDITIONAL RATE FEE
TOTAL INDEP.	MINUS	=		x \$25.00 = \$	x \$50.00 = \$
	MINUS	=		x \$100.00 = \$	x \$200.00 = \$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$180.00 = \$	+ \$360.00 = \$
				TOTAL ADDITIONAL FEE \$	OR TOTAL ADDITIONAL FEE \$

(a) ☒ No additional fee for Claims is required

OR

(b) ☐ Total additional fee for claims required \$ _____

FEE PAYMENT

5. Attached is a check in the sum of \$ _____

☐ Charge Deposit Account No. 01-2384 the sum of \$ _____.
A duplicate of this transmittal is attached.

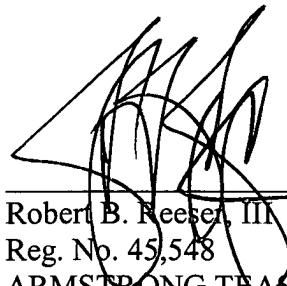
FEE DEFICIENCY

6. ☒ If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

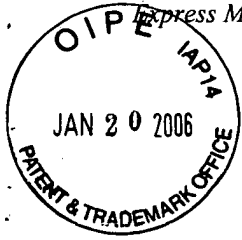
AND/OR

☒ If any additional fee for claims is required, charge Deposit Account No. 01-2384.

7. ☐ Other:



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Express Mail No. EV734457978 US

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AMENDMENT

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P.O. Box 1450
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Sir:

This amendment is submitted in response to the Office Action mailed December 20, 2005.

In response to the election/restriction requirement set forth in the Office Action, Applicants elect for prosecution in this application of the species of Figure 3. Claims 1-4 and 8 are generic. Claims 6 and 7 are in the elected group. In addition, Claims 9-11 and 15 are generic, and Claims 13 and 14 are in the elected claim group.

The requirement for election is traversed because the inventions set out by the claims clearly are related, a thorough search and examination of any claim group (it is believed) would be relevant to the examination of the other group, and requirements for election are not mandatory under 35 USC. Accordingly, reconsideration of the election requirement is requested.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'R. B. Reeser, III', written over a horizontal line.

Robert B. Reeser, III
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